

PROB 12CJ
(Rev 3/97)

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Richard Diaz-Garcia

Defendant

Criminal Action No. 06-CR-134 GMS

Petition on Probation and Supervised Release

COMES NOW John G. Selvaggi Probation Officer of the Court presenting an official report upon the conduct and attitude of Richard Diaz-Garcia, who was placed on supervision by the Honorable Gregory M. Sleet, sitting in the court at Wilmington on the 24th day of May, 2007, who fixed the period of supervision at 1 year, and imposed the general terms and conditions theretofore adopted by the Court.

Should the defendant be deported from the United States, the term of supervised release will run inactively as long as he remains outside of the United States. If the defendant re-enters the United States illegally, this shall be considered a violation of the term of supervised release

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:
(If short insert here; if lengthy write on separate sheet and attach)

Special Condition: "Should the defendant be deported from the United States, the term of supervised release will run inactively as long as he remains outside of the United States. If the defendant re-enters the United States illegally, this shall be considered a violation of the term of supervised release."

Evidence: Mr. Diaz-Garcia was deported from the United States on July 11, 2007. On May, 2008, he was arrested by Delaware State Police, and charged with shoplifting in Wilmington, Delaware. There is no information on file to suggest the defendant legally re-entered the United States.

PRAYING THAT THE COURT WILL ORDER that a warrant be issued for the arrest of Richard Diaz-Garcia, so that he can be brought before the Court to answer to the charge of violating the conditions of his supervised release.

ORDER OF COURT

Considered and ordered this 20th day ofMay, 2008

Chief U.S. District Judge

I declare under penalty of perjury the foregoing
is true and correct,

Deputy Chief U.S. Probation Officer

Place Wilmington, DelawareDate May 19, 2008